

REMARKS

In accordance with the foregoing, claims 1, 6, 8-10, 13, 52, 57-60, 63, and 67 have been amended, and claims 4, 5, 14, 55, and 56 have been canceled without prejudice or disclaimer. Claims 1-3, 6-13, 15-25, 52-54, and 57-67 are pending, with claims 1, 52, and 67 being independent.

Request for Consideration of Information Disclosure Statement of April 28, 2006

An Information Disclosure Statement was filed on April 28, 2006. However, the Examiner did not provide initialed and signed copies of the "List of References Cited by Applicant" and the "List of Copending Applications" included in the Information Disclosure Statement to indicate that the Information Disclosure Statement has been considered with the Final Office Action of May 5, 2006, or the Advisory Action of August 21, 2006, or the Office Action of November 9, 2006, or the Final Office Action of May 1, 2007. Accordingly, it is respectfully requested that the Examiner provide such signed and initialed copies with the next Office Action, even if that Office Action is an Advisory Action.

Request for Consideration of Information Disclosure Statement of June 20, 2007

An Information Disclosure Statement was filed on June 20, 2007, and it is respectfully requested that this Information Disclosure Statement be considered.

Claim Amendments and Entry of Amendment After Final Rejection

Independent claim 1 has been amended to incorporate all of the limitations of dependent claim 4 that depended from claim 1 and dependent claim 5 that depended from claim 4, and claims 4 and 5 have been canceled. Thus, the subject matter recited in amended independent claim 1 presented in this Amendment After Final Rejection is identical to the subject matter that was recited in dependent claim 5 as it was considered by the Examiner in the Final Office Action of May 1, 2007.

Dependent claims 6, 8-10, and 13, which previously depended from canceled claim 4, have been amended to depend from independent claim 1, which now incorporates all of the limitations of canceled claim 4.

Independent claim 52 has been amended to incorporate all of the limitations of dependent claim 55 that depended from claim 52 and dependent claim 56 that depended from claim 55, and claims 55 and 56 have been canceled. Thus, the subject matter recited in amended independent claim 52 presented in this Amendment After Final Rejection is identical to the subject matter that was recited in dependent claim 56 as it was considered by the Examiner in the Final Office Action of May 1, 2007.

Dependent claim 57, which previously depended from canceled claim 56, has been amended to depend from independent claim 52, which now incorporates all of the limitations of canceled claim 56.

Dependent claims 58-60 and 63, which previously depended from canceled claim 55, have been amended to depend from independent claim 52, which now incorporates all of the limitations of canceled claim 55.

Independent method claim 67 has been amended to incorporate method limitations corresponding to the apparatus limitations of canceled apparatus claims 4 and 5 that have now been incorporated into independent apparatus claim 1. Thus, the subject matter recited in amended independent method claim 67 presented in this Amendment After Final Rejection corresponds to the subject matter recited in amended independent apparatus claim 1 presented in this Amendment After Final Rejection, which in turn is identical to the subject matter that was recited in dependent apparatus claim 5 as it was considered by the Examiner in the Final Office Action of May 1, 2007.

It is submitted that the amendments to claims 1, 6, 8-10, 13, 52, 57-60, 63, and 67 do not raise new issues that would require further consideration and/or search, such that entry of this Amendment After Final Rejection is proper under 37 CFR 1.116(b) and MPEP 714.12 and 714.13.

Claim Rejections Under 35 USC 102

Claims 1-25 and 52-67 stand rejected under 35 USC 102(e) as being anticipated by Lamkin et al. (Lamkin) (U.S. Patent Application Publication No. 2002/0078144). The rejection of claims 4, 5, 14, 55, and 56 is moot in view of the cancellation of these claims. The rejection of claims 1-3, 6-13, 15-25, 52-54, and 57-67 is respectfully traversed.

The Examiner Has Provided an Incomplete Explanation of Her Position That Has Prejudiced the Applicants

As an initial matter, it is noted that the Examiner has explained the rejection in a manner that makes it impossible for the applicants to respond to the rejection without speculating about which elements of Lamkin's apparatus the Examiner considers to correspond to the elements recited in the claims. The approach taken by the Examiner is to provide a general description of what Lamkin discloses, with references to various paragraphs of Lamkin's specification, but without any references to Lamkin's drawings, followed by a statement of the form "[c]ompare to claim X, [an element or elements of claim X]." However, the Examiner never explains why she considers the paragraphs of Lamkin she has referred to disclose the element or elements of the claims she has referred to.

For example, on page 3 of the Office Action of November 9, 2006, the Examiner states as follows:

Regarding independent claim 1, Lamkin teaches an interactive digital content reproducing apparatus in the form of an embedded browser coupled to a DVD storage unit, which reproduces interactive digital content from a storage medium, which comprises AV data and a markup document used for AV reproduction (p. 6 par. 108-p. 7, par. 130, especially par. 129-130).
Compare to claim 1, a data storage unit arranged to store data; and a reading unit arranged to read data from a storage medium comprising audio/video (AV) data and a markup document used to reproduce the AV data in an interactive manner.

However, the terms "data storage unit" and "reading unit" recited in claim 1 do not appear in Lamkin, and the Examiner has not identified which elements in FIGS. 1-15 she considers to correspond to these elements of claim 1. In response to arguments presented in the Amendment of February 8, 2007, the Examiner has repeated the above explanation with respect

to these elements of claim 1 on page 2 of the Final Office Action of May 1, 2007, and provided the following rebuttal arguments on pages 14 and 15 of the Final Office Action of May 1, 2007:

Applicants' arguments filed 02/08/2007 are based on the premise that a DVD/CD player with an embedded web browser would not meet the claimed "data storage units" (Remarks, p. 11-19). It is the examiner's opinion that the premise of applicants' arguments is incorrect because, as disclosed by Lamkin, the DVD/CD player with embedded browser for storing cookie information would comprise at least primary and secondary storage units, since DVDs were a very well known system of persistent data storage at the time of the invention, and the embedded browser storing cookie information was also a data storage unit, since at least cookie information and session data were being stored in the browser.

However, nothing whatsoever in the Examiner's explanation of the rejection of claim 1 in the Office Action of November 9, 2006, indicates that the Examiner considers Lamkin to disclose "a data storage unit arranged to store data" as recited in claim 1 because "the DVD/CD player with embedded browser for storing cookie information would comprise at least primary and secondary storage units, since DVDs were a very well known system of persistent data storage at the time of the invention, and the embedded browser storing cookie information was also a data storage unit, since at least cookie information and session data were being stored in the browser" as now explained by the Examiner in the Final Office Action of May 1, 2007. There was no possible way for the applicants to have known this was what the Examiner was thinking when she wrote the explanation of claim 1 in the Office Action of November 9, 2006. This has prejudiced the applicants because they were forced to respond to the Office Action of November 9, 2006, without having a compete understanding of the Examiner's position. In light of this, and since Lamkin is a complex reference, it is submitted that the Examiner was required to provide this explanation in the Office action of November 9, 2006, and to identify which element or elements in FIGS. 1-15 of Lamkin allegedly correspond to the "data storage unit" recited in claim 1 in the Office Action of November 9, 2006, and the Final Office Action of May 1, 2007, pursuant to 37 CFR 1.104(c)(2), which provides as follows (emphasis added):

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of

each reference, if not apparent, must be clearly explained and each rejected claim specified.

The rest of the Examiner's explanation of the rejection of claim 1 in the Office Action of November 9, 2006, and the Final Office Action of May 1, 2007, and the Examiner's explanations of the rejections of claims 2-25 and 52-67 in the Office Action of November 9, 2006, and the Final Office Action of May 1, 2007, have similar deficiencies. Accordingly, at a minimum, it is respectfully requested that the Examiner identify which elements in FIGS. 1-15 of Lamkin she considers to correspond to each of the elements recited in claims 1-3, 6-13, 15-25, 52-54, and 57-67 as required by 37 CFR 1.104(c)(2) in the next Office Action, even if that Office Action is an Advisory Action.

Remedy Requested

Since the applicants have been prejudiced by the Examiner's failure to provide a complete explanation of her position in the Office Action of November 9, 2006, it is submitted that the appropriate remedy is for the Examiner to withdraw the finality of the Office Action of May 1, 2007, and issue a non-final Office Action providing such a complete explanation of her position. It is respectfully requested that the Examiner discuss this remedy with her SPE, and indicate that she has done so in the next Office Action, even if that Office Action is an Advisory Action. Furthermore, should the Examiner decline to provide this remedy, it is respectfully requested that the Examiner explain why this remedy is not being provided in the next Office Action, even if that Office Action is an Advisory Action.

Claims 1 (now incorporating the limitations of canceled claims 4 and 5), 52 (now incorporating the limitations of canceled claims 55 and 56), and 67 (now incorporating method limitations corresponding to the apparatus limitations of canceled claims 4 and 5)

It is submitted that Lamkin does not disclose "an interpreter for receiving the extracted command program included in the markup document from the DOM tree forming unit to control the data storage unit, such that transferring of information and sharing of system parameters related to AV data reproduction between different markup documents are enabled in the content reproducing apparatus" as recited in independent claim 1.

With respect to this feature of claim 1, the Examiner states as follows on page 4 of the Final Office Action of May 1, 2007:

Lamkin teaches transferring information and sharing system parameters related to AV data reproduction between different markup documents since Lamkin teaches multiple user synchronous use among multiple devices (p. 10, par. 182).

Paragraph [0182] of Lamkin referred to by the Examiner reads as follows (emphasis added):

[0182] DVDs can be used for multiple user synchronous use. Generally, this is done by having a prearranged time for an event (such information could be programmed on the disk or provided to users from online content accessed via the disk) at which time interested users connect to a prearranged website by use of the appropriate disk. The network site can control all connected devices by sending commands such as play, pause, fast forward, etc. By this manner, content resident on the disks as well as live web-originated content can be synchronously interwoven for any number of connected users simultaneously. With the server being coupled to the interactive devices the server can send commands to these devices for remotely controlling content stored on local interactive devices connected to a network system, such as the Internet. First, the interactive devices begin with the same interactive content, such as a DVD-Video disk. The interactive devices and a server are adapted to be connected to a network. In operation, information is transmitted from the server to the interactive devices that begin playback of the interactive content utilizing the network. Each interactive device receives the command at the same time and thus the commands and therefore the content are synchronized at start of playback. If the interactive devices support different commands such as a playing at a given time or only playing at a given chapter the server must utilize the supported features for the interactive device and send out only the supported commands to the interactive devices. This allows for the simultaneous playback of the event on each of the client apparatuses. Late synchronization can be achieved by a similar method by sending a command from the server to the interactive devices of the current time position the DVD-Video is playing. For those interactive devices that only support chapter commands the server must wait until the next chapter change to send the command to the interactive device to synchronize with the other interactive devices currently viewing the DVD-Video. Furthermore, This allows content such as DVD Video content to be locked so that play can only be accomplished through verification of interactive devices identity and also allows augmentation and

supplementation of the content provided by the video from a remote server. Upon verification of a interactive device's credentials, the locally stored content can be supplemented with additional content delivered over the network system. This is achieved by using precise command sequences from the server to the interactive devices that unlock the local DVD-Video for example.

However, this paragraph merely describes a method that enables multiple users to simultaneously view the same interactive content, such as a DVD-Video disk and live web-originated content that is synchronously interwoven with content resident on the DVD-Video disk. Since the users are viewing the same interactive content, the interpreters of the interactive devices that the users are using to view the same interactive content will always interpret the same markup documents that are stored on the DVD-Video disk and the same live web-originated content. Although the server may send different commands to different types of interactive devices based on the features that are supported by the different types of interactive devices, each particular type of interactive device will always receive the same commands from the server. Furthermore, the commands that the server sends to the interactive devices are commands to control playback such as play, pause, fast forward, etc., which are not markup documents.

Accordingly, it is submitted that paragraph [0182] of Lamkin does not disclose "an interpreter for receiving the extracted command program included in the markup document from the DOM tree forming unit to control the data storage unit, such that transferring of information and sharing of system parameters related to AV data reproduction between different markup documents are enabled in the content reproducing apparatus" as recited in claim 1.

It is submitted that Lamkin does not disclose the feature "wherein, according to the command program, the presentation engine generates cookie information comprising predetermined target information and stores the cookie information in the data storage unit" now recited in independent claim 1 and previously recited in canceled dependent claim 4.

With respect to this feature of claim 1 that was previously recited in canceled claim 4, the Examiner states as follows on page 5 of the Final Office Action of May 1, 2007:

Regarding dependent claim 4, Lamkin teaches generating cookie information according to the command program and storing it in the data storage unit (p. 7, par. 129).

The relevant portion of paragraph [0129] of Lamkin relied on by the Examiner reads as follows:

The embedded web browser (410) also receives cookies from the cookie manager (708) via the cookie API, generally in response to the accessing of an Internet website.

The only descriptions of the operation of Lamkin's cookie manager 708 referred to in paragraph [0129] of Lamkin relied on by the Examiner appear to be in the following passage in the abstract of Lamkin:

The cookie manager records information for later reading including the tracking of consumer identifier, playback device identifier, and readable medium identifier triples.

and in paragraph [0133] of Lamkin, which reads as follows:

[0133] The cookie manager (708) interacts with the identifier engine (710) to provide the ability to save information regarding the disk, platform, current user, and the application programming interface (API) version in local storage.

The only other places in Lamkin's specification where the cookie API referred to in paragraph [0129] of Lamkin relied on by the Examiner appears to be mentioned are paragraphs [0116] and [0117] of Lamkin. However, paragraphs [0116], [0117], and [0129] of Lamkin do not explain how Lamkin's cookie API operates.

However, it is not seen where paragraph [0129] of Lamkin relied on by the Examiner, or Lamkin's abstract and paragraph [0133] that describe the operation of Lamkin's cookie manager, or paragraphs [0116] and [0117] of Lamkin that mention Lamkin's cookie API, disclose the feature "wherein, according to the command program, the presentation engine generates cookie information comprising predetermined target information and stores the cookie information in the data storage unit" now recited in independent claim 1 and previously recited in canceled dependent claim 4, particularly in light of the fact that, as discussed above, it is not clear from the explanation of the rejection of claim 1 in the Final Office Action of May 1, 2007, which element or elements in FIGS. 1-15 of Lamkin the Examiner considers to correspond to the "data storage unit" recited in claim 1. Nor has the Examiner explained why she considers paragraph [0129] of Lamkin to disclose this feature.

It is submitted that Lamkin does not disclose the feature "wherein the data storage unit comprises a non-volatile data storage portion and a volatile data storage portion, where according to cookie storage attribute information in the command program, the presentation engine stores the cookie information in one of the non-volatile data storage portion and the volatile data storage portion" now recited in independent claim 1 and previously recited in canceled dependent claim 5.

With respect to this feature of claim 1 that was previously recited in canceled claim 5, the Examiner states as follows on page 5 of the Final Office Action of May 1, 2007:

Regarding dependent claim 5, Lamkin teaches both non-volatile and volatile data storage portions for storing cookie information according to cookie storage attribute information in the command program (p. 12, par. 207-214).

Paragraph [0207] of Lamkin relied on by the Examiner states that "[t]he embedded browser supports two types of cookies, system cookies and general-purpose cookies," and that "[b]oth system cookies and general-purpose cookies may be volatile or non-volatile (maintained even if storing system is powered off) depending on their specific function." Paragraphs [0209]-[0214] of Lamkin relied on by the Examiner describe specific types of cookies.

However, it is not seen where paragraphs [0207]-[0214] of Lamkin relied on by the Examiner disclose the feature "wherein the data storage unit comprises a non-volatile data storage portion and a volatile data storage portion, where according to cookie storage attribute information in the command program, the presentation engine stores the cookie information in one of the non-volatile data storage portion and the volatile data storage portion" now recited in independent claim 1 and previously recited in canceled dependent claim 5, particularly in light of the fact that, as discussed above, it is not clear from the explanation of the rejection of claim 1 in the Final Office Action of May 1, 2007, which element or elements in FIGS. 1-15 of Lamkin the Examiner considers to correspond to the "data storage unit" recited in claim 1. Nor has the Examiner explained why she considers paragraphs [0207]-[0214] of Lamkin to disclose this feature, particularly the "according to a cookie storage attribute value" aspect of this feature.

It is submitted that Lamkin does not disclose "a markup document which reproduces the AV data in an interactive manner, the markup document comprising a command program which, when the information storage medium is inserted into the content reproducing apparatus, is performed by the content reproducing apparatus to control the data storage unit included in the

content reproducing apparatus, such that transferring of information and sharing of system parameters related to AV data reproduction between different markup documents are enabled in the content reproducing apparatus" as recited in independent claim 52, or the features "wherein the command program comprises a cookie generation command program, where the cookie generation command program performs control so that the content reproducing apparatus generates cookie information comprising predetermined target information and stores the cookie information in the data storage unit" and "wherein the data storage unit comprises a non-volatile data storage portion and/or a volatile data storage portion, and the cookie generation command program performs a control according to cookie storage attribute information in the cookie generation command program, where the content reproducing apparatus stores the cookie information in one of the non-volatile data storage portion and the volatile data storage portion" now recited in independent claim 52, at least for the same reasons discussed above that Lamkin does not disclose the similar features of claim 1.

It is submitted that Lamkin does not disclose "controlling the data storage unit included in the content reproducing apparatus, according to the extracted command program included in the markup document, such that transferring of information and sharing of system parameters related to AV data reproduction between different markup documents are enabled in the content reproducing apparatus" as recited in independent claim 67, or the features "wherein the controlling of the data storage unit comprises: according to the extracted command program, generating cookie information; and storing the generated cookie information in the data storage unit" and "wherein in the storing of the generated cookie information, the generated cookie information is stored in one of a non-volatile data storage portion and a volatile data storage portion of the data storage unit according to a cookie storage attribute value in the extracted command program" now recited in independent claim 67, at least for the same reasons discussed above that Lamkin does not disclose the similar features of claim 1.

Claims 7, 11, 12, 24, 25, 61, 62, 65, and 66

It is submitted that Lamkin does not disclose the following feature recited in dependent claim 7:

wherein the presentation engine searches the data storage unit for the cookie information with the same content identification

information as input content identification information and reads the cookie information,

or the following feature recited in dependent claim 11:

wherein the command program comprises a cookie reference command program, where according to the cookie reference command program, the presentation engine searches the data storage unit for at least one cookie information item, and extracts the predetermined target information from the at least one cookie information item,

or the following feature recited in dependent claim 12:

wherein the command program comprises a cookie deletion command program, where according to the cookie deletion command program, the presentation engine searches the data storage unit for at least one cookie information item and deletes corresponding cookie information,

or the following feature recited in dependent claim 24:

wherein, according to the cookie reference command program, the presentation engine searches the data storage unit for at least one cookie information item with predetermined content identification information and extracts the predetermined target information from the at least one cookie information item,

or the following feature recited in dependent claim 25:

wherein the presentation engine searches for the cookie information having the same name to identify the target information as in the command program,

or the following feature recited in dependent claim 61:

wherein the command program comprises a cookie reference command program, where the cookie reference command program performs control so that the content reproducing apparatus searches the data storage unit for at least one cookie information item and extracts predetermined target information from the at least one cookie information item,

or the following feature recited in dependent claim 62:

wherein the command program comprises a cookie deletion command program, where the cookie deletion command program performs control so that the content reproducing apparatus

searches the data storage unit for at least one cookie information item that matches the cookie information the cookie deletion command program commands to delete and deletes the at least one cookie information,

or the following feature recited in dependent claim 65:

wherein the cookie information comprises first information defining the content reproducing apparatus using the cookie information, second information indicating a path of a markup document using the target information, and the target information, which is a name identifying the target information and a value of the target information, and the cookie reference command program performs control to search for the cookie information having the same first information, second information, and the name identifying the target information as in the cookie reference command program and to extract the value of the target information,

or the following feature recited in dependent claim 66:

wherein the cookie information comprises first information defining the content reproducing apparatus using the cookie information, second information indicating a path of a markup document using the target information, and the target information, which is a name identifying the target information and a value of the target information, and the cookie deletion command program performs control to search for the cookie information having the same first information, second information, and the name identifying the target information as in the command program and to delete the searched cookie information.

It is noted that the Examiner's explanation of the rejection of claim 7 is incomplete with respect to the above cookie information search feature of claim 7 as can be seen from the incomplete phrase "Lamkin also teaches" at the bottom of page 5 of the Final Office Action of May 1, 2007. Accordingly, it is respectfully requested that the Examiner provide a complete explanation with respect to this feature of claim 7 in the next Office Action, even if that Office Action is an Advisory Action.

The Examiner's position with respect to the above cookie information search features of claims 7, 11, 12, 24, 25, 61, 62, 65, and 66 appears to most completely set forth in the Examiner's explanation of claims 11 and 12 on pages 6 and 7 of the Final Office Action of May 1, 2007, which reads as follows in pertinent part:

Regarding dependent claims 11 and 12, Lamkin teaches a cookie manager which operates to control the data storage unit by extracting predetermined target information (p. 7, par. 132-135). Lamkin teaches generating and modifying items of cookie information (p. 12, par. 207) and overwriting, i.e., deleting, the cookie information items (p. 12, par. 223). It is implied in the disclosure of Lamkin that the cookie manager searches for matching cookie information items and allows deletion of cookie information since Lamkin teaches that the API is implemented in the JavaScript scripting language, which contains standard program commands to search for matching cookie information items and to delete cookies; compare to cookie reference command program of claim 19.

With respect to the Examiner's statement that Lamkin teaches . . . overwriting, i.e., deleting, the cookie information items (p. 12, par. 223)," it is noted that paragraph [0223] of Lamkin referred to by the Examiner states the last bookmark in a queue is overwritten with a new bookmark created using the disk cookie that is described in paragraph [0213]. Paragraph [0227] does not disclose overwriting or deleting the disk cookie itself.

With respect to the Examiner's statement that "[i]t is implied in the disclosure of Lamkin that the cookie manager searches for matching cookie information items and allows deletion of cookie information since Lamkin teaches that the API is implemented in the JavaScript scripting language, which contains standard program commands to search for matching cookie information items and to delete cookies," it is submitted that the Examiner's position is contradicted by the fact that pages 13-79 of Lamkin contain a detailed description of each of the commands supported by Lamkin's DVD-video and CD-digital programming interface (see paragraphs [0242] through [0257] of Lamkin, and none of these commands have anything whatsoever to do with cookies. Also, it is not seen where there is any evidence whatsoever in the record that supports the Examiner's assertion that "the JavaScript scripting language . . . contains standard program commands to search for matching cookie information items and to delete cookies." Accordingly, should the Examiner maintain this rejection, it is respectfully requested that the Examiner provide such evidence with the next Office Action, even if that Office Action is an Advisory Action.

Claims 13, 15-21, 63, 65, and 66

It is submitted that Lamkin does not disclose the feature "wherein the cookie information comprises at least first information defining a content reproducing apparatus using the cookie information, and second information indicating a path of a markup document using the target information, and the target information comprises a name identifying the target information and a value of the target information" recited in dependent claims 13 and 15-21.

With respect to this feature of claims 13 and 15-21, the Examiner states as follows in pertinent part on page 7 of the Final Office Action of May 1, 2007:

Regarding dependent claims 13-21, Lamkin teaches a system cookie which contains a name and a value for the player state and a path of a markup document using the player, since it is a system cookie automatically created and modified by the player hardware and the embedded browser (p. 11, p. 205-206; p. 12, par. 207; 212).

However, it is submitted that nothing whatsoever in paragraphs [0205], [0206], [0207], and [0212] of Lamkin referred to by the Examiner relates to "second information indicating a path of a markup document" as recited in claims 13 and 15-21. The Player Mode cookie described in paragraph [0212] referred to by the Examiner, which is one of Lamkin's system cookies, is "a non-volatile cookie of 32 bytes length which maintains the default player mode for the Application programming interface (API) playback, movie mode, or InterActual mode." It is not understood how this Player Mode cookie can be considered to contain "second information indicating a path of a markup document" as recited in claims 13 and 15-21 as apparently alleged by the Examiner.

It is submitted that Lamkin does not disclose the feature "wherein the cookie generation command program performs control so that the content reproducing apparatus generates cookie information comprising first information defining the content reproducing apparatus using the cookie information, second information indicating a path of a markup document using the target information, and the target information, which is a name identifying the target information and a value of the target information" recited in dependent claim 63, or the feature "wherein the cookie information comprises first information defining the content reproducing apparatus using the cookie information, second information indicating a path of a markup document using the target information, and the target information, which is a name identifying the target information and a

value of the target information" recited in dependent claims 65 and 66, at least for the same reasons discussed above that Lamkin does not disclose the similar feature of claims 13 and 15-21.

Conclusion—Claim Rejections Under 35 USC 102

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-3, 6-13, 15-25, 52-54, and 57-67 (i.e., claims 1, 7, 11-13, 15-21, 24, 25, 52, 61-63, and 65-67 discussed above and claims 2, 3, 6, 8-10, 22, 23, 53, 54, 57-60, and 64 depending directly or indirectly from various ones of claims 1, 13, 52, and 63) under 35 USC 102(e) as being anticipated by Lamkin be withdrawn.

In the event the Examiner issues an Advisory Action indicating that the above arguments are not persuasive, it is respectfully requested that the Examiner provide a detailed explanation of why the arguments are not persuasive in the Advisory Action so that the applicants can determine how to proceed in response to the Advisory Action.

In the event the Examiner changes her position in response to any of the above arguments and takes the position that some other portion of Lamkin or some other interpretation of Lamkin discloses any of the features recited in claims 1-3, 6-13, 15-25, 52-54, and 57-67, it is submitted that the Examiner cannot issue an Advisory Action, but must withdraw the finality of the Office Action of May 1, 2007, and issue a non-final Office Action because such a change in the Examiner's position will be a new ground of rejection that was not necessitated by the applicants' amendment of the claims (since no claims have been amended), but was necessitated by the deficiencies in the explanation of the rejection provided by the Examiner in the Final Office Action of May 1, 2007, that are pointed out above.

If the Examiner changes her position and nevertheless issues an Advisory Action, it is respectfully requested that the Examiner explain why she did so in light of the above arguments.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

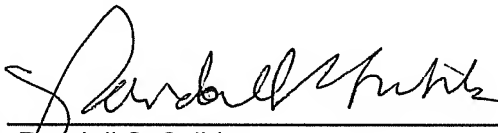
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this paper, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 07/02/07

By: 
Randall S. Svihla
Registration No. 56,273

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510